

February 23, 2012

**VIA ELECTRONIC FILING**  
**HAND DELIVERED CONFIDENTIAL VERSION**

Jocelyn Boyd, Chief Clerk/Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29211

**Bonnie D. Shealy**  
1901 MAIN STREET, SUITE 1200  
POST OFFICE BOX 944  
COLUMBIA, SOUTH CAROLINA 29202  
**PH**  
(803) 779-8900 | (803) 227-1102 *direct*  
**FAX**  
(803) 252-0724 | (803) 744-1551 *direct*  
bshealy@robinsonlaw.com

**Re: Roman LD, Inc.**  
**Docket No. 2011-432-C**

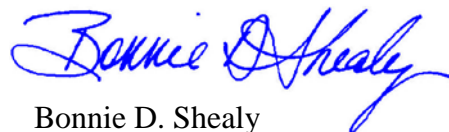
Dear Jocelyn:

On behalf of Roman LD, Inc., we respectfully request leave to file the enclosed Supplemental Testimony of Maria Elena Zepeda and Motion for Protective Treatment of Supplemental D of the application and Supplemental Testimony Exhibit 3. The hearing on this matter is scheduled for Monday, February 27<sup>th</sup>. The financial statements submitted to the Commission with the application as Exhibit D reflected the company's assets and expenses through April 26, 2011. Roman LD is currently seeking national certification and has not begun operations in any state. We seek to supplement the application and Ms. Zepeda's testimony to provide the Commission with updated information in regard to the Company and its owner's financial viability. The additions to the testimony are reflected in italics in the Supplemental Testimony which also provides Supplemental Exhibit 3—current financial statements, a financial guarantee from the owner, and copies of the owner's bank statements.

We respectfully request confidential treatment of this financial information as outlined in the Motion. It is our understanding that the Office of Regulatory Staff does not object to our supplementing the testimony or the attached motion. If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.

  
Bonnie D. Shealy

/bds

Enclosures

cc/enc: Hearing Examiner Josh Minges (via email and & hand delivery)  
C. Lessie Hammonds, ORS Staff Attorney (via email and & hand delivery)  
Ms. Maria Zepeda (via email)  
Mr. Andrew Isar (via email)

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2011-432-C**

In the Matter of the Application of )  
Roman LD, Inc. for a )  
Certificate of Public Convenience and Necessity )  
to Provide Resold Interexchange )  
Telecommunications Services Throughout )  
The State of South Carolina and for )  
Alternative Regulation )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

This is to certify that I, Toni C. Hawkins, a Paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Motion for Protective Treatment and Basis for Filing Application Supplemental Exhibit D and Supplemental Testimony Exhibit 3 as Trade Secret and Supplemental Testimony of Maria Elena Zepeda on Behalf of Roman LD, Inc.** in the foregoing matter by causing a copy of same to be hand delivered as follows:

C. Lessie Hammonds, Staff Attorney  
SC Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Dated at Columbia, South Carolina this 23<sup>rd</sup> day of February, 2012.



\_\_\_\_\_  
Toni C. Hawkins

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
Docket No. 2011-432-C**

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Application of )

Roman LD, Inc. )

for a Certificate of Public Convenience and )  
Necessity to Provide Resold Interexchange )  
Telecommunications Services Throughout )  
the State of South Carolina and for )  
Alternative Regulation )

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**MOTION FOR PROTECTIVE TREATMENT AND  
BASIS FOR FILING APPLICATION SUPPLEMENTAL EXHIBIT D AND  
SUPPLEMENTAL TESTIMONY EXHIBIT 3 AS TRADE SECRET**

**Introduction**

Roman LD, Inc. (“Roman” or “Applicant”), by its attorneys and pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment (“Motion”) in the above-captioned proceeding. By this Motion, the Applicant seeks protective treatment by the Public Service Commission of South Carolina (“Commission”), of certain commercially-sensitive financial statements attached as ***Supplemental Exhibit D*** filed as Trade Secret to the Application for Authority for Roman to Provide Resold Interexchange Telecommunications Services throughout the State of South Carolina and for Alternative Regulation (“Application”) filed with the Commission on October 17, 2011. This same document is attached as **Exhibit 3 of the Supplemental Testimony of Maria Zepeda**. We seek the same confidential treatment for the **Zepeda Testimony Exhibit 3**. (collectively Application Supplemental Exhibit D and

Supplemental Testimony Exhibit 3 are referred to as “**Supplemental Financial Information**”).

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicant is:

Roman LD, Inc.  
2300 Valley View Lane, Suite 340  
Irving, Texas 75602  
Telephone: 972.793.8636  
Facsimile: 972.408.4150

2. Correspondence or communications regarding this Motion should be addressed to:

Bonnie D. Shealy  
1901 Main Street, Suite 1200  
Post Office Box 944  
Columbia, South Carolina 29202  
Telephone: 803.227.1102  
Facsimile: 803.252-0724  
Email: [bshealy@robinsonlaw.com](mailto:bshealy@robinsonlaw.com)

with a copy to:

Andrew Isar  
Miller Isar, Inc.  
4423 Point Fosdick Drive, NW, Suite 306  
Gig Harbor, Washington 98335  
Telephone: 503.997.2702  
Facsimile: 253.851.6474  
Email: braunlaw1@gmail.com

#### **I. Description of Confidential Information.**

3. The Application requires Roman to disclose evidence of financial fitness through the submission of documentation of its financial resources and ability to provide the requested service. In conformity with this requirement, the Applicant submitted copies of its financial statements as of April 26, 2011. The Applicant has updated its financial statements through February 9, 2012, and supplements its application with this additional information.

The Company is currently in a start-up position, has been pursuing certification in anticipation of a regional roll out of service. Roman LD is not currently offering service. As a result, the income statement reflects this lack of income and the balance sheet reflects additional capital investment by the owner. This information is discussed in the Supplemental Testimony of Maria Zepeda. These financial statements contain highly confidential and strictly proprietary information, the public disclosure of which may result in direct, immediate and substantial harm to the competitive position of the Applicant in South Carolina and elsewhere.

## **II. Grounds for Claim of Confidentiality.**

4. Roman is presently immune from a legal obligation to prepare or submit projected financial statements, or any other financial information, to any public entity. As such, statements attached as **Supplemental Financial Information** are not readily available to persons external to Roman.

5. Because the **Supplemental Financial Information** submitted by Roman in support of the Application contain confidential and commercially-sensitive information from which its competitors may derive economic value, Roman seeks to protect such material from public disclosure. Roman derives independent economic value from the fact that significant, detailed and proprietary information regarding its financial structure and current financing activities is unknown to its competitors. As such, the Company's financial statements are a "trade secret" as that term is used in South Carolina Trade Secrets Act. S.C. Code Section 39-8-20(5). Given this fact, the disclosure of this information could provide existing and potential competitors, including interexchange carriers ("IXCs") in South

Carolina, as well as in other states in which Roman provides or intends to provide telecommunications service, with an unfair and undeserved competitive advantage.

6. Roman clarifies herein that its request for protection applies only to the documents attached as **Supplemental Financial Information** to the Application and Supplemental Testimony. Roman is not seeking protection of any type for those reports Roman is required to file with the Office of Regulatory Staff (“ORS”) should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, and Universal Service Fund Worksheet.

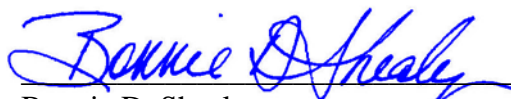
### **CONCLUSION**

7. The **Supplemental Financial Information** included in support of Roman’s Application, for which Confidential Treatment is sought, is both proprietary and competitively sensitive. The substantial and direct harm that could be caused to Roman as a result of any disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required Roman to make this information available to the public. For all these reasons, the **Supplemental Financial Information** should be protected from public disclosure by the Commission.

WHEREFORE, Roman LD, Inc. respectfully requests that the Public Service Commission grant this Motion for Protective Treatment with respect to the **Supplemental Financial Information** filed *under seal* as Confidential in this proceeding.

Dated this 23<sup>rd</sup> day of February, 2012.

Robinson, McFadden & Moore, P.C.

A handwritten signature in blue ink, appearing to read "Bonnie D. Shealy", is written over a horizontal line.

Bonnie D. Shealy  
1901 Main Street, Suite 1200  
Post Office Box 944  
Columbia, South Carolina 29202  
Phone: 803-779-8900  
Fax: 803-252-0724  
Email: [bshealy@robinsonlaw.com](mailto:bshealy@robinsonlaw.com)  
Attorneys for Roman LD, Inc.

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
Docket No. 2011-432-C**

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Application of	)
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Roman LD, Inc.	)
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for a Certificate of Public Convenience and	)
Necessity to Provide Resold Interexchange	)
Telecommunications Services Throughout	)
the State of South Carolina and for	)
Alternative Regulation	)
_____	)

**APPLICATION OF ROMAN LD, INC.  
SUPPLEMENTAL EXHIBIT D**

**CONFIDENTIAL & PROPRIETARY  
FILED UNDER SEAL**



State of California )  
 )  
County of Los Angeles )

IRREVOCABLE FINANCIAL GUARANTEE

I, Sapina Quayum, am owner of Roman LD, Inc., an Applicant for Certificate of Public Convenience and Necessity to Provide Non Facilities-Based Interexchange Services in the State of South Carolina, and am authorized to make this Irrevocable Financial Guarantee in support of its pending Application.

I hereby submit this Irrevocable Financial Guarantee to Roman LD, Inc. for an amount necessary to meet its documented expenses for an amount not to exceed \$100,000. This Guarantee is available to the Company effective immediately and expiring one year from the date of Roman LD, Inc.'s order granting it a certificate of public convenience and necessity. Attached and incorporated by reference are my personal financial statements which demonstrate that I possess the financial resources to make this Irrevocable Financial Guarantee.

Executed on the 22ND of February, 2012 at Los Angeles, California

By: \_\_\_\_\_

Sapina Quayum  
2300 Valley View Lane Suite 340  
Irving, Texas 75062

Subscribed and sworn to before me this 22ND of February, 2012

Samantha Kang  
Notary Public in and for the State of California

My Commission expires: Dec 31, 2013

STATE OF CALIFORNIA COUNTY OF LOS ANGELES  
Subscribed and sworn to (or affirmed) before me  
on Feb 22, 2012  
By SAPINA QUAYUM  
proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.  
Samantha Kang  
Notary Public

